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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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GERRY RENEE POTTS, Case No. 1:21-cv-00625-CDB (SS)

11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL
SECURITY,

14 Defendant.

15 ORDER ON STIPULATION EXTENDING
NUNC PRO TUNC THE COMMISSIONER'S
TIME TO FILE A RESPONSE TO
PLAINTIFF'S MOTION TO ALTER AND
AMEND JUDGMENT

16 (Doc. 29)

17

18 Pending before the Court is the Commissioner's stipulated request to extend his deadline
19 to file a response to Plaintiff's motion to alter and amend judgment under Fed. R. Civ. P. 59(e).
20 (Doc. 29). Counsel for the Commissioner represents that was unable to begin evaluating
21 Plaintiff's motion upon its filing due to a preplanned absence. Counsel for the Commissioner
22 further represents that Rule 59(e) motions are subject to specialized review by the Office of the
23 General Counsel and that Plaintiff's motion addresses a novel legal issue which requires
24 additional consideration.

25 The Commissioner's request for extension was filed on the deadline to file any opposition
26 to Plaintiff's pending Rule 59(e) motion. Stipulated requests for extensions of filing deadlines are
27 governed by this Court's Local Rule 144(d), which provides:

1 Counsel shall seek to obtain a necessary extension from the Court or from other
2 counsel or parties in an action as soon as the need for an extension becomes
3 apparent. Requests for Court-approved extensions brought on the required filing
date for the pleading or other document are looked upon with disfavor.

4 Consistent with Local Rule 144(d), Counsel for the Commissioner should have sought the
5 requested extension when the need for it reasonably became apparent and not on the terminal date
6 for filing any opposition to Plaintiff's motion. The Court admonishes Counsel to better heed this
7 Court's Local Rules in all future filings.

8 For good cause shown by the Commissioner's stipulated representations, it is HEREBY
9 ORDERED, the deadline by which Commissioner shall file his response to Plaintiff's Rule 59(e)
10 motion shall be extended *nunc pro tunc* to **July 8, 2024**.

11 IT IS SO ORDERED.

12 Dated: **June 25, 2024**


13 UNITED STATES MAGISTRATE JUDGE

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